

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE (415) 904-5200
FAX (415) 904-5400
TDD (415) 597-5885



FOR IMMEDIATE RELEASE: California Coastal Commission and City of Newport Beach

Newport Beach, CA, November 28, 2005 – Five property owners allegedly responsible for illegal bulldozing of sand dunes owned by the City of Newport Beach were notified today by the Executive Director of the California Coastal Commission of his intent to initiate Cease and Desist and Restoration Orders against them. The sand dunes, considered one of the most rare features along the California coastline and considered Environmentally Sensitive Habitat Areas under the California Coastal Act, were located on property owned by the City of Newport Beach, between Olive Street and Sonora Street just downcoast of the Santa Ana River.

The Coastal Commission worked closely with the City of Newport Beach to investigate this illegal activity. The City's Police Department conducted an extensive investigation and discovered that the five property owners hired and paid an employee working on the Santa Ana River dredging project to use two pieces of heavy equipment to level the sand dunes seaward of their properties. The equipment was owned by a contractor of the U.S. Army Corps of Engineers, being used to perform work on a site nearby. The area of dunes destroyed was approximately 30 feet deep by 150 feet long and 3 to 6 feet high. The investigation found that the illegal activity occurred between 10:00 pm and 1:00 am the night of April 17 and the morning of April 18 of this year.

"The City [Newport Beach] did an amazing job investigating this illegal activity and finding the individuals responsible for destroying these sand dunes," said Peter Douglas, Executive Director of the Coastal Commission. "These dunes are among the few remaining along California's coastline, and their destruction is one of the most blatant violations of the Coastal Act I have ever seen," he said.

Sand dunes are a vanishing landform in Southern California and their rare presence improves the scenic and visual character of a beach. Dunes support exceedingly rare ecosystems, and specifically, these dunes are located near the nesting ground and foraging areas of a state and federally listed endangered species, the California Least Tern.

"We are grateful to our Police Department and to the Coastal Commission for their successful work so far in this case. Our hope is that this will send a strong message to all that the destruction of coastal resources, like the dunes, was wrong and illegal. In fact, it's made me believe that our own ordinances -- not just the State's Coastal Act -- should be strengthened. We look forward to working with the Commission to ensure that the dunes are restored to their previous state", said Newport Beach Mayor John Heffernan

The Cease and Desist and Restoration Order would likely require the five individuals to hire a restoration biologist to restore the dunes using restorative grading and planting of native dune plant species. "Our hope is that these people who orchestrated the destruction of the dunes will realize they have been caught and will choose to work with us and the City of Newport Beach to resolve this amicably and understand that they will have to restore what they have destroyed," says Mr. Douglas.

Aaron McLendon, Statewide Enforcement Analyst, California Coastal Commission
PHONE: (415) 904-5220; Website: <http://www.coastal.ca.gov>
Robin Clauson, City Attorney, City of Newport Beach
PHONE: (949) 644-3131